



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/535,637

11/23/2005

Declan Patrick Kelly

CN 020017

7684

24737

7590

12/20/2010

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

TOWFIGHI, AFSHAWN M

ART UNIT

PAPER NUMBER

2469

MAIL DATE

DELIVERY MODE

12/20/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/535,637	Applicant(s) KELLY ET AL.	
	Examiner AFSHAWN TOWFIGHI	Art Unit 2469	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13,14,21,23-31,33 and 38-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11,13,14,21,23-31,33 and 38-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 3-11, 13, 14, 21, 23-31, 33 & 38-40 are pending.
2. Claims 1 and 21 have been amended.

Response to Arguments

3. Applicant's arguments, see page 8, filed 10/14/2010, with respect to 35 U.S.C. 112 have been fully considered and are persuasive. The 35 U.S.C. 112 rejection of claims 1, 3-11, 13, 14, 21, 23-31, 33 & 38-40 has been withdrawn.

4. Applicant's arguments filed 10/14/2010 have been fully considered but they are not persuasive.

On page 10 of the applicant's response, the applicant argues that Siah fails to disclose the claim element of "an indication of selecting a method for deriving a title identification for each of the content providers" or a location defining a pre-selected location where information that is to be used by the indicated method may be found"

The examiner respectfully disagrees. Siah (Figure 8 #804 and #806) teaches that the C-PBIT information is read from a database in ram which is then used to by the method to calculate the DVD signature (Title_ID). There are pluralities of methods for deriving the DVD signature (page 14, lines 20-31 for a first method, and page 15, lines 5-19 for a second method).

"Indication" is a very broad term. The DVD player has stored in ram the steps for the software

Art Unit: 2469

process for deriving the method (page 5, lines 20-25). The stored steps are an “indication” of selecting the method to calculate the signature, because it will indicate that the player should use the first method (page 14, lines 20-31). This location also pre-selects what the DVD player should used to derive the signature (for example: derive the signature using the C-PBIT information). Therefore Siah does teach the argued limitation as the claim language reads.

On page 11 of the applicant’s response, the applicant argues that Official Notice is not obvious and there is exists no motivation.

1. The examiner respectfully disagrees and has provided references to support the examiner’s claim of obviousness. Collart teaches the pre-selected location on the disc for the unique identifier is the burst cutting area (Collart, Col 6 L3-5, the burst cutting area is a well known and obvious area to place a unique identifier on a disc). Collart teaches the pre-selected location on the disc for the unique identifier is a private data sector (Collart, Col 6 L3-5, the burst cutting area is a well known and obvious area to place a unique identifier on a disc. BCA is private because it must be decoded) It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to place the unique identifier in the burst cutting area/private data sector of a DVD, since doing so would have provided a well known, standard, location for the identifier, thereby making the unique identifier easy to find for security, support and retail related features (Col 4 L35-39).

Art Unit: 2469

The examiner would like to inform the applicant that he is available for an interview at any time to help further prosecution of the case, and clarify any claim language to help speed up prosecution.

Examiner Note

4. Claim element “means for...” from claim 1 is a means (or step) plus function limitation that invokes 35 U.S.C. 112, sixth paragraph. The written description discloses the corresponding structure, material, or acts for the claimed function in Figure 1 and Page 4-5 of the applicant’s specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 3-5, 8-11, 13, 14, 21, 23-25, 28-31, 33 & 38-40 are rejected under 35

U.S.C. 102(a) as being anticipated by International Patent Application Publication No. WO 02/15024 A1 to Siah, et al. (Siah).

3. **Regarding claim 1**, Siah teaches a WebDVD player (See page 5, lines 9-15, a networked DVD player), comprising: a local database (See page 11, lines 20-22; wherein the database in the flash memory is local to the DVD player) including at least a plurality of universal resource locators (URLs) associated with corresponding ones of a plurality of websites associated with corresponding ones of a plurality of content providers (See page 10, lines 11-19; wherein each of the URLs is a website address and thus is inherently associated with a website), a plurality of

Art Unit: 2469

expected title identifications associated with corresponding ones of said plurality of content providers (See page 11, lines 18-19; wherein the searched for records are the title identifications), an indication for selecting a method for deriving a title identification (See Figure 8 the C-PBIT information is an "indication" to select the title to be derived) (See page 5 lines 20-25 and page 14, lines 20-31 for a first method, and page 15, lines 5-19 for a second method, wherein the methods must be stored on DVD players memory, as there is no other memory available) said method consisting of at least one of a read operation and an algorithmic operation (See page 11, lines 13-17; wherein the calculation that is made is equivalent to an algorithmic operation), and a location defining a pre-selected location containing information upon which selected method operates (See Figure 8, the C-PBIT info. This is a location that has pre-selected information used to derive the Title_ID.); means for deriving a title identification (Title_ID) of a legacy DVD disc, the Title_ID being a unique identifier of a title of the legacy DVD disc, wherein the Title ID is derived in accordance with a selected method and the information in the pre-selected location (See page 7, lines 19-20; wherein the unique DVD signature is an identifier of the title of the DVD); and means for linking the disc to a related web site based on the derived Title ID (See page 9, lines 24-25, linked to an information server).

4. **Regarding claim 3**, Siah teaches means for determining whether the derived Title_ID matches an expected title identification value indicated in the database that is associated with the specified method (See page 11, lines 18-24; wherein ID's that lead to found records are expected values).

Art Unit: 2469

5. **Regarding claim 4**, Siah teaches means for retrieving a universal resource locator (URL) in the database that is associated with the expected title identification value if the derived Title_ID matches the expected title identification value (See page 10, lines 3-4).
6. **Regarding claim 5**, Siah teaches deriving the Title_ID by reading a unique identifier from a pre-selected location of the disc (See page 7, lines 19-21; wherein the C-PBIT is different for every movie, i.e., unique, and the C-PBIT is located in a pre-selected area of the disc).
7. **Regarding claim 8**, Siah teaches deriving the Title_ID by reading a Volume Set ID in a Universal Disc Format (UDF) file system of the disc (See page 13, lines 14-17; wherein the volume descriptor is the equivalent of volume set ID, and the Universal Disc Format is inherently used).
8. **Regarding claim 9**, Siah teaches deriving the Title_ID by reading selected data available on the disc (See page 7, lines 19-21, reading data).
9. **Regarding claim 10**, Siah teaches means for retrieving a provider unique identification (PVR_ID) from the disc (See page 13, lines 15-17); wherein the Title_ID is derived based on the retrieved PVR ID of the disc (See page 13, lines 15-17; wherein the Title Information is applicant's Title ID).
10. **Regarding claim 11**, Siah teaches means for determining whether the retrieved PVR ID matches a corresponding URL in the list (See page 14, lines 10-13); and means for searching through the title identifications in the table that are associated with the corresponding URL for finding a matching Title_ID (See page 13, lines 3-5).

Art Unit: 2469

11. **Regarding claim 13**, Siah teaches if the derived Title_ID fails to match any expected title identifications in the table, the linking means links the disc to a general web site of a content provider using the corresponding URL (See page 11, lines 26-28, and page 12, lines 7-9).

12. **Regarding claim 14**, Siah teaches means for accessing a source web site, if the derived Title ID does not match any expected title identification in the table, the source web site containing a database which includes a list of universal resource locator (URL) links to related web sites and their associated PVR_IDs and Title_IDs (See page 11, line 26 to page 12, line 4); means for searching a corresponding URL in the source web site database based on the retrieved PVR_ID and derived Title_ID (See page 12, lines 3-9; wherein the DVD information server includes the web site database); and means for linking the disc to a related web site using the corresponding matching URL (See page 12, lines 23-25).

13. **Regarding claim 21**, this claim recites a method for operating the WebDVD player of claim 1, and is rejected for the same reasons.

14. **Regarding claim 23**, this claim recites a method for operating the WebDVD player of claim 3, and is rejected for the same reasons.

15. **Regarding claim 24**, this claim recites a method for operating the WebDVD player of claim 4, and is rejected for the same reasons.

16. **Regarding claim 25**, this claim recites a method for operating the WebDVD player of claim 5, and is rejected for the same reasons.

17. **Regarding claim 28**, this claim recites a method for operating the WebDVD player of claim 8, and is rejected for the same reasons.

Art Unit: 2469

18. **Regarding claim 29**, this claim recites a method for operating the WebDVD player of claim 9, and is rejected for the same reasons.
19. **Regarding claim 30**, this claim recites a method for operating the WebDVD player of claim 10, and is rejected for the same reasons.
20. **Regarding claim 31**, this claim recites a method for operating the WebDVD player of claim 11, and is rejected for the same reasons.
21. **Regarding claim 33**, Siah teaches accessing a source web site, if the derived Title_ID does not match any expected title identification in the table, the source web site containing a database which includes a list of universal resource locator (URL) links to related web sites and their associated PVR_IDs and Title_IDs (See page 11, line 26 to page 12, line 4); searching a corresponding URL in the database based on the retrieved PVR_ID and derived Title_ID (See page 12, lines 5-9); and linking the disc to a related web site using the corresponding matching URL (See page 12, lines 23-25).
22. **Regarding claim 38**, Siah teaches means for periodically updating the database and the table stored by the storing means with information from the source web site (See page 11, lines 26-28).
23. **Regarding claim 39**, Siah teaches means for caching an address of a website address each time the web site is accessed (See page 4, lines 7-9; wherein the PC inherently includes a cache memory).
24. **Regarding claim 40**, Siah teaches means for allowing a user to manually update the database and the table stored by the storing means with new information (See page 11, lines 28-30; wherein user input is required to update the DB; and, page 13, lines 12-13).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

25. Claims 6-7 & 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siah, as applied to claims 1 and 25 above, in view of Collart (Patent No: 6,405,203).

26. **Regarding claims 6 & 26**, Siah teaches the invention as described in claims 1 and 25.

Siah does not specifically teach that the pre-selected location on the disc for the unique identifier is the burst cutting area. However, Collart teaches the pre-selected location on the disc for the unique identifier is the burst cutting area (Collart, Col 6 L3-5, the burst cutting area is a well known and obvious area to place a unique identifier on a disc). It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to place the unique identifier in the burst cutting area of a DVD, since doing so would have provided a well known, standard, location for the identifier, thereby making the unique identifier easy to find for security, support and retail related features (Col 4 L35-39).

27. 26. **Regarding claims 7 & 27**, Siah teaches the invention as described in claims 1 and 25. Siah does not specifically teach that the pre-selected location on the disc for the unique identifier is a private data sector. However, Collart teaches the pre-selected location on the disc for the unique identifier is a private data sector (Collart, Col 6 L3-5, the burst cutting area is a well known and obvious area to place a unique identifier on a disc. BCA is private because it

Art Unit: 2469

must be decoded). It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to place the unique identifier in a private data sector of a DVD, since doing so would have provided a well known, standard, location for the identifier, thereby making the unique identifier easy to find for security, support and retail related features (Col 4 L35-39).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AFSHAWN TOWFIGHI whose telephone number is (571)270-7296. The examiner can normally be reached on Monday - Friday 9:00 A.M. to 6:00 P.M..

Art Unit: 2469

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ian Moore can be reached on (571)272-3085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. T./

Examiner, Art Unit 2469

/Ian N. Moore/

Supervisory Patent Examiner, Art Unit 2469